

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

ADDITIONAL
BACKUP

May 13, 2003

49

FROM: ALAN K. MARKS
County Counsel

**SUBJECT: AUTHORIZE ISSUANCE AND SALE OF FONTANA UNIFIED SCHOOL
DISTRICT 2003 TAX AND REVENUE ANTICIPATION NOTES IN AN AMOUNT
NOT TO EXCEED \$16,000,000**

RECOMMENDATION: Adopt Resolution providing for the borrowing of funds on behalf of the Fontana Unified School District for Fiscal Year 2003-2004 and the issuance of 2003 tax and revenue anticipation notes in an amount not to exceed \$16,000,000.

BACKGROUND INFORMATION: The Board of Education of the Fontana Unified School District ("District") adopted a resolution determining to borrow funds in an amount not to exceed \$16,000,000 for Fiscal Year 2003-2004, and to authorize the issuance of tax and revenue anticipation notes. Government Code Section 53850 permits the District to borrow money by the issuance of such temporary notes. Government Code Section 53853 requires the County Board of Supervisors, as soon as possible following receipt of the resolution of the District Board of Education, to issue such notes in the name and on behalf of the District. In July 2002, the Board of Supervisors adopted Resolution No. 2002-218 authorizing school districts and community college districts to issue general obligation bonds on their own behalf without approval from the Board of Supervisors. The statutory scheme permits that process for general obligation bonds but does not currently permit a similar process for the issuance of tax and revenue anticipation notes. In order for that to happen, the statutes governing the issuance of such notes would need to be amended to permit districts to issue the notes on their own behalf. The District adopted its Resolution on April 16, 2003. The District is obligated to repay the Notes.

REVIEW BY OTHERS: This item was reviewed by County Counsel (Michelle D. Blakemore, Deputy County Counsel) on April 29, 2003, the Treasurer-Tax Collector (Mark Mathers, Cash Manager/Investment Officer) on April 28, 2003, and the County Administrative Office (Tracy Lindsay, Administrative Analyst) on May 2, 2003.

FINANCIAL IMPACT: No financial impact on the County.

SUPERVISORIAL DISTRICT(S): 2nd District

PRESENTER: Alan K. Marks, County Counsel, 387-5459.

Record of Action of the Board of Supervisors

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49